

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
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DOC #:
DATE FILED: 9/27/18

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

THE WALT DISNEY COMPANY, and  
TWENTY-FIRST CENTURY FOX, INC.,

*Defendants.*

18 Civ. 5800 (CM) (KNF)

9/24/2018  
motion granted  
am

MEMO ENTERED

**JOINT MOTION FOR ENTRY OF HOLD SEPARATE STIPULATION AND ORDER**

The United States and Defendants The Walt Disney Company ("Disney") and Twenty-First Century Fox, Inc. ("Fox") jointly move the Court for entry of the Hold Separate Stipulation and Order filed on June 27, 2018 (Exhibit 1 to this motion, previously docketed as Attachment #2 to the Notice of Explanation of Consent Decree Procedures). The parties respectfully request the Court to enter the Hold Separate Stipulation and Order on the following grounds:

1. On June 27, 2018, the United States filed a civil antitrust Complaint related to Disney's acquisition of certain Fox assets. The parties simultaneously filed a Proposed Final Judgment that would settle the case by requiring Disney to divest certain assets in the markets where the United States has competitive concerns.
2. The Proposed Final Judgment cannot be entered until completion of the public notice and comment period required by the Antitrust Procedures and Penalties Act ("APPA", 15 U.S.C. § 16(b)-(h)), as explained in Plaintiff United States' Notice of Explanation of Consent Decree Procedures.


3. The Hold Separate Stipulation and Order, which the parties now move the Court to enter, requires that the assets to be divested be kept separate, competitive, and economically viable during the pendency of the notice and comment period, and helps ensure compliance with the provisions of the Proposed Final Judgment pending its entry by the Court.

4. The Hold Separate Stipulation and Order will help facilitate and expedite the divestitures required by the Proposed Final Judgment. The APPA does not impose any requirements that must be followed before the Court may enter this Order.

For all of the foregoing reasons, the undersigned parties respectfully request entry of the Hold Separate Stipulation and Order.

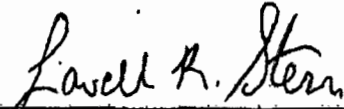
Dated: September 13, 2018

Respectfully submitted,

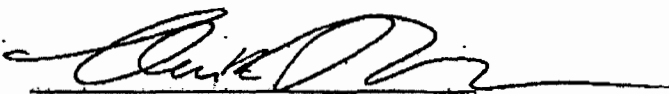
  
Thomas O. Barnett  
Covington & Burling LLP  
One CityCenter  
850 Tenth Street, NW  
Washington, DC 20001-4925  
Tel: 202-662-5407  
tbarnett@cov.com

Counsel for The Walt Disney Company

Respectfully submitted,

  
Lowell R. Stern  
United States Department of Justice  
Antitrust Division  
450 Fifth Street, NW, Suite 8700  
Washington, DC 20530  
Tel: 202-514-3676  
lowell.stern@usdoj.gov

Counsel for the United States

  
Kenneth S. Reinker  
Cleary Gottlieb Steen & Hamilton LLP  
2000 Pennsylvania Avenue, NW  
Washington, DC 20006  
Tel: 202-974-1743  
kreinker@cgsh.com

Counsel for Twenty-First Century Fox, Inc.